



Practitioner's Docket No. NEB-163-PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ming-qun Xu et al.

Application No.: 09/936,588

Group No.: 1636

Filed: 03/29/2002

Examiner: McKelvey, T.

For: Method for Generating Split, Non-Transferable Genes that are Able to Express an Active Protein Product

Mail Stop Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Date: September 1, 2004

Leslie Goldberg

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Fee: \$210.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | |
|---|---|---------------------------------------|------------------|---------------------|---------------|------|--|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | | |
| TOTAL | 21 | — 40 | = 0 | x \$ 9.00 | = \$ | 0.00 | |
| INDEP. | 2 | — 5 | = 0 | x \$ 43.00 | = \$ | 0.00 | |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$ 0.00 | = \$ | 0.00 | |
| | | | | TOTAL ADDIT. FEE | \$ | 0.00 | |

No additional fee for claims is required.

FEE PAYMENT

5. Attached is a check in the sum of \$210.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

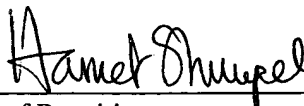
FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 14-0740.

If an additional fee for claims is required, charge Account No. 14-0740.

Date: September 1, 2004

Reg. No.: 37,008
Tel. No.: 978-927-5054
Customer No.: 28986



Signature of Practitioner
Harriet M. Strimpel
New England Biolabs, Inc.
32 Tozer Road
Beverly, MA 01915